



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 33 of the Housing (Scotland)
Act 1988**

Chamber Ref: FTS/HPC/EV/25/1864

**Re: Property at 3 Crailing Hall Farm Cottage, Jedburgh, TD8 6LU (“the
Property”)**

Parties:

Mr Richard Balean, Old Hall, Crailing Hall, Jedburgh, TD8 6LU (“the Applicant”)

**Miss Kay Douglas, 3 Crailing Hall Farm Cottage, Jedburgh, TD8 6LU (“the
Respondent”)**

Tribunal Members:

Mark Thorley (Legal Member) and Sandra Brydon (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order of eviction be granted**

- Background

The applicant applied to the tribunal by application dated 29 April 2025 seeking an order of eviction.

The application was accompanied by the following documents

1. Notice to Quit
2. Section 33 notice

The application was accepted for determination on 4 June 2025. It was served by sheriff officers on 8 October 2025.

The respondent provided a written submission which in summary set out that she was moving out of the property and hoped to do so by the date of the case management discussion.

- The Case Management Discussion

Both parties attended the case management discussion along with the applicant's agent Mr Serle.

The respondent indicated that she had moved out of the property and that she had secured alternate accommodation. She had moved into that accommodation but that she still had certain large items within the property. She wished a further 7 to 14 days to remove those items.

The applicant still wished to obtain an order of eviction. The respondent was not opposed to the order being granted.

- Findings in Fact

1. The parties entered in to a Short Assure Tenancy dated 26 February 2013 for the rental of the property.
2. The applicant had served the appropriate documentation to bring to an end the tenancy.
3. The tenancy was now at an end.

- Reasons for Decision

There was little dispute between the parties. The respondent did not oppose the granting of an eviction order and indeed was living in alternate accommodation. She still had certain contents within the property and wished a short period of time to remove these. That could be accommodated within the usual period for the granting of an order of eviction.

The paperwork was in order bringing the tenancy to an end.

The tribunal accepted that the tenancy was at an end and that both parties agreed to the making of the order.

- Decision

To grant an order of eviction

Right of Appeal

In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the

party must first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.

Mark Thorley

14/11/2025

Legal Member/Chair

Date